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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/581,513	09/07/2000	Marc Brison	100210-00001	6827
7590 03/15/2004			EXAMINER	
Arent Fox Kintner Plotkin & Kahn 1050 Connecticut Avenue NW Suite 600 Washington, DC 20036-5339			COLE, LAURA C	
			ART UNIT	PAPER NUMBER
			1744	

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/581,513

Applicant(s)

BRISON, MARC

Examiner

Laura C Cole

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,9-15,17,18 and 20 is/are pending in the application.
- 4a) Of the above claim(s) 5 and 6 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4,9-15,17,18 and 20 is/are rejected.
- 7) ☒ Claim(s) 11-15 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. This application contains claims 5 and 6 drawn to an invention nonelected with traverse in Paper No. 8. A complete reply to the final rejection must include cancelation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Drawings

2. The drawings were received on 14 July 2003. These drawings are acceptable.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 1-4, 9-15,17-18, and 20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1, it is unclear as to what is "capable of clipping or snap fitting the broom stick or handle" (Lines 5-6). Are the "interchangeable" gripping and manipulating means "capable" of clipping or snap fastening the broomstick or handle to the central rod connected to the plate? Is it the broomstick or handle that has the means (or "capability") for clipping or snap fastening? Are the "interchangeable" gripping and manipulating means connected to the broomstick or handle? What is meant by "capable of" in Line 5?

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claims 1, 9, 17-18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krajicek, USPN 4,852,210 in view of Lundstedt, USPN 5,862,565.

Krajicek discloses a wet mop with interchangeable scrubbing pad and cloth wipe that comprises a plate of generally rectangular shape (Figure 5 (9)), gripping and manipulating means (Figures 2 and 5, the assembly of (6) and (7)), means for securing pieces of textile (Column 3 Lines 5-11), the gripping means is interchangeable (the portions (6) and (7) may be interchangeable as the central rod is not permanently fixed to secure (7) (see Figure 4) or can be interchangeable in that the features may be broken and replaced), a central rod connected to the plate (Figures 3 and 4 display two separate embodiments of a central rod configuration), a plurality of means for fixing different types of pieces of textile being at least on the lower base of the plate with plane portions for self-gripping strips (Figure 8 displays plane portions (22) that engage self-gripping strips (23) that are situated on the lower base of the plate) or on the upper face of the plate having clamping mechanisms co-operating with a cavity in the plate to hold up pieces having turned-back edges and holes suitable for press stud systems (the clamping mechanism being the elastic band of Figure 6 (27) which cooperates with the cavity that is formed by outer lip (17) when the textile (26)

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has turned-back edges, and holes (21) that are suitable for press-stud systems.) Krajicek further discloses a joint (Figure 5 assembly (6) and (7)) pivoting on a central rod (Figures 3-4) connected to a plate, that a threaded socket (Figure 5 (6)) is screwed to the broom-stick (as shown in Figure 1), or that the threaded socket (Figure 5 (6)) may be considered to be the handle and manipulated by hand, the lower base is provided with cavities for receiving the self-gripping strips (Figure 5 (21)), that the holes which could be suitable for press stud systems are provided on the ends of the plate (the holes suitable for press stud systems are (21) of Figure 5 as the press stud "holes" are not required to work with the self-gripping strips as the claim dependency is set up, so holes (21) could be suitable for either embodiment, the holes (21) are provided on the ends of the plate in Figure 5), the holes have an oval profile oriented longitudinally (as a round "circular" shape shown in Figure 5 could be considered an oval), the walls of the holes are "resiliently" deformable, and that a sponge support is "clipped" into the holes under the lower base (The sponge is Figure 5 (18) and is clipped in a way as shown in Figure 7.) Krajicek does not disclose that the gripping and manipulating portion are capable of clipping or snap-fitting to a central rod.

Lundstedt discloses a joining means for connecting a gripping and manipulating portion (300) to a central rod portion (200) by "snap-fitting" or "clipping" portions (310, 311, 316, 320; see Figure 6).

It would have been obvious for one of ordinary skill in the art to modify the gripping and manipulating portion of Krajicek so that it is fitted with snap-fitting portions, such as Lundstedt teaches as a means for quick release in mounting.

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5. Claims 1, 10, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas, USPN 3,465,377 in view of Lundstedt, USPN 5,862,565.

Thomas discloses a dust mop head having cushion means that comprises a plate of generally rectangular shape (Figure 1 (1)) provided with gripping and manipulating means (Figure 1 swivel assembly (3)) being interchangeable (a replacement joint may be "interchanged" if the joint or rod was broken), means for securing textile being on the upper face having clamping mechanism to hold turned back edges, cooperating cavities, and having holes (Figure 1 (17) and (18) are the clamping mechanisms; Column 3 Lines 6-13; the cavities are seen in Figure 1 as where elements (17) and (18) descend into, but are unlabeled; and holes also unlabeled and seen in Figure 2), and a central rod (seen in Figure 1 connected to swivel (3)). Also the clamping mechanism is a specially shaped strip (Figure 1 (17) and (18)) co-operating with a central window (unlabeled central hole in Figure 2) and two lateral cavities (unlabeled yet shown in Figure 1 where elements (17) and (18) descend into) that are located on the upper face of the plate (Figure 1.) It appears as if the strip is of a "bell type" in the Figures. Thomas does not disclose that the gripping and manipulating portion are capable of clipping or snap-fitting to a central rod.

Lundstedt discloses a joining means for connecting a gripping and manipulating portion (300) to a central rod portion (200) by "snap-fitting" or "clipping" portions (310, 311, 316, 320; see Figure 6).

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It would have been obvious for one of ordinary skill in the art to modify the gripping and manipulating portion of Thomas so that it is fitted with snap-fitting portions, such as Lundstedt teaches as a means for quick release in mounting.

6. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Garcia, USPN 5,419,015 in view of Lundstedt, USPN 5,862,565.

Garcia discloses a mop with removable interchangeable work pads that comprise a generally rectangular plate (Figure 3 (23)) with gripping and manipulating means (Figures 1 and 2 (25)), a handle (21), a central rod (Figure 2 (30)), and means for fixing different types of fabric to the plate include at least on the lower base of the plate planar portions for self-gripping strips (Figures 1, 2, and 4 (28)). Garcia does not disclose that the gripping and manipulating portion are capable of clipping or snap-fitting to a central rod.

Lundstedt discloses a joining means for connecting a gripping and manipulating portion (300) to a central rod portion (200) by "snap-fitting" or "clipping" portions (310, 311, 316, 320; see Figure 6).

It would have been obvious for one of ordinary skill in the art to modify the gripping and manipulating portion of Garcia so that it is fitted with snap-fitting portions, such as Lundstedt teaches as a means for quick release in mounting.

7. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krajicek, USPN 4,852,210 in view of Lundstedt, USPN 5,862,565, and in further view of Nichols et al., USPN 4,642,837.

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Krajicek and Lundstedt disclose all elements mentioned above, however do not include two flexible strips on the joint for the attachment between the joint and the handle.

Nichols et al. disclose a broom having interlocking components comprising a joint (Figure 1 (7)) pivoting on a rod (9)), the joint having two flexible strips (Figure 1 (31)) for detaching the stick or handle from the plate. Also, the strips bear toes (Figure 4 (49)) capable of sliding in positioning guides or "holes" (Figures 1 and 4 (33)) that are part of the sleeve assembly (Figure 4 displays that a sleeve (5) encompasses the entire "section") for supporting the broomstick or handle.

It would have been obvious for one of ordinary skill in the art to modify the joint for the attachment between the joint and the handle of Krajicek and Lundstedt, and substitute for the one of Nichols et al. so as to provide flexible strips and a flexible quick release handle and joint connection so that the user can vary handles for the appropriate function that is to be performed with the plate.

Allowable Subject Matter

8. Claims 11-15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants Arguments

9. In the response filed 30 December 2003 the Applicant contends that:

A. All of the cited references fail to teach or suggest any gripping manipulating means that are interchangeable.

B. All of the cited references do not constitute gripping and manipulating means that are interchangeable *and* capable of clipping or snap fastening to a broomstick or handle.

Response to Arguments

10. Applicant's argument (A) filed 30 December 2003 have been fully considered but they are not persuasive.

A. Krajicek, Thomas, and Garcia each disclose a "gripping and manipulating means between the broom-stick or holding handle and a central rod..." as mentioned above. Further, such "gripping and manipulating means" is considered to be "interchangeable" as one could break apart such means that Krajicek, Thomas, or Garcia disclose to replace it with a new means or disassemble the means in order to modify it or attach a different manipulating means. Krajicek, Thomas, and Garcia each place the means between a handle and a central rod.

11. Applicant's arguments, see above, filed 30 December 2003, with respect to the rejection(s) of claim(s) 1 under 35 U.S.C. 102 (b) to Krajicek, Thomas, and Garcia have been fully considered and are persuasive. Therefore, the rejection

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has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Lundstedt, USPN 5,862,565. See above.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USPN 4,165,550 to Burke displays a snap fitting or clipping means for joining a gripping and manipulating means to a central pivot.

USPN 5,365,286 to Harrah displays a snap fitting or clipping means for quick release between a gripping and manipulating means and cleaning device.

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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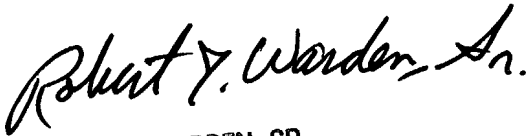
14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Laura C Cole whose telephone number is (571) 272-1272. The examiner can normally be reached on Mondays through Thursdays, and alternating Fridays, from 7:30 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Warden, can be reached at (571) 272-1281. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lee
LCC

24 February 2004


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